THE COURTS.

THE CASE OF GEORGE B. GRINNELL & CO.

They File a Petition to Have Themselves Declared Bankrupts-The Bebts of the Firm Estimated at \$12,000,000 -Securities at \$11,000,000.

BUSINESS IN THE OTHER COURTS.

Another Bill for Surveyor's Fees-The Case of Johnstone, One of the Alleged Wall Street Forgers-Decisions.

Judge Robinson, of the Court of Common Pleas. in deciding yesterday a mandamus application against the Comptroller, the particulars of which will be found in to-day's law reports, held that the audit by the Board of Supervisors of claims against the county is final and conclusive. As he inter-prets the law, the duties of the County Auditor and Comptroller are in this regard simply executive.

At length the Stemmler-Maguire suit, after nearly four years litigation, has ended, and with a verdict in favor of the plaintiff. Judge Maguire, however, is not inclined to give up quite yet his civil judgeship, and, immediately on the rendition yesterday of the verdict against him, moved for a new trial. Judge Van Bunt, who sat at the trial, granted the motion and will hear the argument on

John Carr, a fireman in the Custom House, was committed vesterday by Commissioner Shields to await the action of the Grand Jury on a charge of having stolen, from the office of the Surveyor of the Port, certain printed forms and blanks used in regard to the landing and bonding of imported

W. Wirt Hewitt, counsel for Clement N. Rutter. obtained judgment yesterday in the Supreme Court against James W. Johnstone, now a prisoner in the Tombs, for complicity in the Wall street forgeries of last July, for the sum of \$10,150. The attachment against Johnstone's property gave the following result:-\$6,000 in the hands of the Sheriff, which was paid over, having been found upon his person when arrested, and the sum of \$2,000, deposited by Johnstone in the Bowery and Nassau Savings banks, making together \$8,600, against the \$10,150 which Rutter had been defrauded of by his purchase of Buffalo, New York and Erie bonds.

In the Court of General Sessions yesterday Thomas McMahon was tried upon a charge of stealing \$29 from George Northrop's lager beer saloon, in Harlem. The jury disagreed and the defendant was discharged on his own recognizance.

GEORGE B. GRINNELL & CO.

They File a Petition to Have Themselves Declared Bankrupts-Their Debts Estimated at About \$12,000,000, and Securities at \$11,000,000.

In the United States District Court yesterday, Messrs. Martin and Smith, solicitors, acting on be-half of George Bird Grinnell and Joseph C. Wil-liams, filed a voluntary petition asking that Grinnell & Williams be declared voluntary bankrupts. The principal allegations in the petition are to the

following effect:—
That George B, Grinnell, George Bird Grinnell and Joseph C. Williams were copartners in the general partnership of George B. Grinnell & Co.; that this partnership was dissolved on the 1st of September, in the present year; that George Bird Grinnell and Joseph C. Williams were the general partners in the limited partnership of George Bird Grinnell & Co., which was formed on September 1, 1873, and still continues; that the several members of the said copartnership are not able to pay their debts in full; and that they are willing to surpender, for the benefit of their creditors, all their partnership and individual estates and effects, and desire to take the benefit of the Bankruptcy act.

and desire to take the benefit of the Bankruptcy act.

To this petition is appended a statement or schedule, setting forth the debts of the firm and the securities for the same, with their estimated values. When the petition was filed great interest was manilested by those who happened to be in the Bankruptcy office at the time to examine the voluminous paper—so much so that all rould not, at the same moment, be favored with a careful perusal of the document. It appears that the debts of the firm, as stated in the schedule, reach the large amount of about \$12,300,000, and that the value of the securities is estimated at between \$10,000,000 and \$11,000,000.

Among the creditors are Blake Brothers & Co., The Citizens' lusurance Company, The United States Trust Company, The National Commercial Bank of Albany, The Chemical National Hank, The National Trust Company, Marshal O. Roberts, Oicott & Company, The Pucific National Bank, The Broadway Bank, The Stuyvesant Bank, L. Von Heffman & Co., Brown Brothers & Co. and several others.

One debit to the Broadway Bank, to the amount

One debit to the Broadway Bank, to the amount

\$83,000.

Following the usual practice of the Court, this petition was at once referred to M. Henry Wilder Alien, Register in Bankruptcy, No. 152 Broadway, who will proceed to take all the proofs and testimony in connection with this case.

BUSINESS IN THE OTHER COURTS.

SUPREME COURT-TRIAL TERM-PART 2. The End of the Stemmler-Magnire Suit-Verdict for Stemmler.

Before Judge Van Brunt. The Stemmier-Maguire suit, which has been in progress for several days, resulted in a verdict being given yesterday for the plaintiff. As is well known, in the charter election of 1869 Mr. Stemmler and Mr. Maguire were rival candidates trict, and the latter was returned elected, and has ever since been presiding as Judge in this district. Mr. Stemmler claimed that he was wrongfully "counted out," and to get satisfaction resorted to a suit with the result given above. The testimony a suit with the result given above. The testimony was pretty much a repetition of that given in the suit brought by Mr. Murray to oust Judge Coulter from his position as Police Judge. The matter, of course, was one mainly of local interest, but there was sharp and pertinacious fighting on both sides and good fighting lawyers, Mr. Stemmler's counsel being Messrs. N. J. Waterbury and ex-Judge Fullerton, and Messrs. Eldridge T. Gerry, A. J. Vanderpoel and William A. Beach appearing for Mr. Maguire. After receiving the verdict, a motion was made for a new trial, and the same set down for argument on Wednesday next.

SUPREME COURT-CHAMBERS. Another Bill for Surveyor's Fees.

Before Judge Fancher.

A good share of this Court's time yesterday was consumed in discussing the application for a peremptory mandamus against the Comptroller on behalf of John A. Bagley, a city surveyor. The bill Hawkins pursued the same line of argument as on the previous day in the case of the Surveyor, Mr. Edward Boyle. He claimed that there was no Edward Boyle. He claimed that there was no money in the Comptroller's hands from which to pay it and that the proper remedy was by an action against the city. He stated, further, that during the past five years there had been paid to Mr. Bagiley \$51,725 68 for surveys for the city, and that the overcharges in these cases the Comptroller desired to present as an omset to the present claim. Mr. T. C. Buckley made the principal argument in opposition. He gave a most thorough and exhaustive review alof all the legal points involved. At the close of the argument Judge Fancher took the papers.

Reduction of Oscar Ette's Batt.

In the case of Oscar Ette, the photographer who shot Henry Waltholtz in the Bowery some two weeks ago, Mr. William T. Howe, his counsel, asked yesterday that the ball which had been fixed at \$10,000, be reduced to \$5,000. Mr. Howe having aucceeded in satisfying Judge Fancher that the reduction was proper and just, the application was

Decisions.

By Judge Fancher.
Seed vs. Seed.—Report confirmed and judgment of divorce granted; custody of children awarded to plaintiff.
In the Matter, Ac., of Appleton.—Finding of jury confirmed and owier granted appointing a committee.

Bowery National Bank vs. Fincke and Others.

Minett vs. Continental Lite Insurance Company.— Orders granted.

SUPERIOR COURT-PECIAL TERM. Decisions.

By Judge Van Vorst.

Wemyss vs. Partington et al.—Motion denied.
Cartwright vs. Woods.—Inquest set aside and
cause restored to the calendar on the payment of
costs of motion. (see memorandum.)

Hiffelsheimer vs. Fladderman.—Motion granted

Bernbaum vs. Levy et al.—Motion granted. haphael vs. Leopold.—Order sending action Marine Court for trial.

COURT OF COMMON PLEAS-SPECIAL TERM. Duty of the Auditor and Comptroller as to Claims Against the County.

Before Judge Robinson. Several days since application was made in this Court for a peremptory mandamus against the Comptroller, directing him to pay \$6,927 to Martin B. Brown for stationery furnished the city. In a decision given yesterday Judge Robinson ordered decision given yesterday Judge Robinson ordered a peremptory writ to issue for all except \$2,532, for the payment of which \$350 only remained in the city treasury, and in reference to this portion of the bill he granted an alternative mandamus. In his opinion the Judge holds that the audit and approval of the Board of Supervisors are conclusive in chaims of this character, and that they are subject to a reviewal by the County Auditor and Comptrotier. The duty of those officials, he says, is simply the examination and allowance of vouchers in support of the claims.

Decisions.

Benner vs. Adams.-Motion denied, with \$10 costs.

Day vs. Stone.—Demurrer overruled, with leave to answer on usual terms.

In the Matter, &c., of Brown vs. Green.—Peremptory writ allowed, except as to claim of \$2,532 59, as to which alternate mandamus should

By Judge J. F. Daly.
Terry vs. Young.—Motion denied.
Eugert vs. Schlaeter.—Order settled.
By Judge Larremore.
Hays vs. Rogers.—Amendments allowed and case settled in conformity therewith.
Pinto vs. Comstock.—Judgment of foreclosure and sale granted.
Lorber vs. Helldorpen.—Reference granted to pass accounts of receiver.

COURT CALENDARS-THIS DAY.

SUPREME COURT—CHAMBERS—Held by Judge Fancher.—Nos. 87, 124, 127, 135, 136, 136, 159, 169, 268, 214, 222, 225, 226, 230, 238. Call 239.

SUPREME COURT—GENERAL TERM.—Adjourned until Monday.

SUPREME COURT—SPECIAL TERM.—Adjourned until Monday.

SUPREME COURT—CHROUTE—PART 1.—Oyer and Termore. Purplemes. Part 2.—Special Cours.—Nos. 2344.

SUPREME COURT—CIRCUIT—Part1.—Oyer and Terminer business. Part 2—Short Cause.—Nos. 2344, 2002, 2254, 2454, 2512/4, 2564, 2608, 2610, 2632, 2706, 2742, 1676, 1748, 2146, 2220, 2290, 2652, 2716, 2740, 2752, 2768, 2824, 2834, 2868, 2900, 2926, 2968, 2968, 3012, 3023, 3044.

BUPERIOR COURT—Part 1—Held by Judge Barbour—Short Cause.—Nos. 649, 920, 1001, 907, 974, 961, 1134, 1142, 1130, 1107, 1111, 1137, 1122, 1131, 1199, 388, 1093, 1153, 1152, 1086, 1195, 1196, 1200, 1163, 1140, 1044, 1167, 1089. Part 2—Held by Judge Freedman.—Nos. 698, 3909/4, 566, 552, 660, 470, 748, 750, 752, 754, 756, 758, 760, 764, 760.

COURT OF COMMON PLEAS—TRIAL TERM—Part 1—Held by Judge C. P. Daily.—Nos. 570, 39, 2324, 332, 68, 2011, 2012, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430. Part 2—Held by Judge Loew.—Nos. 1969, 1631, 2279, 186, 1669, 2411, 2412, 2413, 2414, 2416, 2417, 2418, 4220, 2421.

2418, 2420, 2421,
COURT OF COMMON PLEAS—EQUITY TERM—Held
by Judge J. F. Daly.—Nos. 16, 76, 29, 57, 88, 72.
MARINE COURT—Part 1—Held by Judge Gross.—
Nos. 2984, 3034, 2651, 2657, 2555, 2099, 2966, 2490, 2882,
2659, 2426, 2631, 2836, 2300, 2338 %. Part 2—Held by
Judge Howland.—Nos. 2389, 2774, 2099, 2653, 2635,
2743, 2775, 2833, 2839, 3120, 2873, 2877, 2877, 2891.
Part 3—Held by Judge Epaulding.—2727, 2752, 2002,
2490, 2109, 2337, 2656, 3120, 3187, 3188, 3191, 2898, 2970,
2979, 2887.

Part 3—Held by Judge Spaulding.—2727, 2752, 2902, 2490, 2109, 2837, 2656, 5120, 3187, 3188, 3191, 2898, 2970, 2672, 2887.

COURT OF GENERAL SESSIONS—Held by Recorder Hackett.—The People va. George Burner, assault and battery; Same vs. Peter Monaghan, assault and battery; Same vs. Peter Monaghan, assault and battery; Same vs. John Thomas, assault and battery; Same vs. John Thomas, assault and battery; Same vs. Jeremiah Johnson, assault and battery; Same vs. Jeremiah Johnson, assault and battery; Same vs. William Hunter, assault and battery; Same vs. William Hunter, assault and battery; Same vs. Halena Sohns and Peter Sohns, assault and battery; Same vs. Adam Bechteid, assault and battery; Same vs. Edward Bott, assault and battery; Same vs. Siephen Sensens, assault and battery; Same vs. Siephen Meyer, assault and battery; Same vs. Siephen Meyer, assault and battery; Same vs. Siephen Meyer, assault and battery; Same vs. Joseph O'Brien, assault and battery; Same vs. Joseph Gronnell, assault and battery; Same vs. John Barrett, assault and battery; Same vs. John Berrett, assault and battery; Same vs. John Becker, false pretence; Same vs. Thomas Carroll, concealed weapons; Same vs. John White, concealed weapons; Same vs. William Hyland, Michael Fitzgerald and John Kilroe, assault and battery; Same vs. John Becker, false pretence; Same vs. John White, concealed weapons; Same vs. William Hyland, Michael Fitzgerald and John Kilroe, assault and battery; Same vs. John Becker, false pretence; Same vs. John White, concealed weapons; Same vs. William Hyland, Michael Fitzgerald and John Kilroe, assault and battery; Same vs. John Becker, false pretence; Same vs. John White, concealed weapons; Same vs. William Hyland, Michael Fitzgerald and John Kilroe, assault and battery; Same vs. John Roman Fountain,

ART MATTERS.

Pictures at Moore's

of those brisk dealers in pictures who have already well begun the art season of 1873-4. For the past few weeks a number of excellent pictures by American artists have been accumulating at there will be fresh accessions. Among those now on hand is a cattle piece by Mr. James M. Hart, entitled "The Morning Rest." A number of cattle which have just had their first meal are taking their ease in a meadow, and in various positions, ness, preserve that meditative aspect for which as a genus, they are remarkable. In the grouping of these cattle and in the naturalness and ease with which a variety of recumbent positions is preserved are visible the aims of Mr. Hart's studies during the past few months on Long Island. He has almost lived among cattle, and has taken more pains to master their occult has taken more pains to master their occult speech than the average explorer of dead languages takes to domesticate himself among Latin, and Hebrew and Greek. Work equally valuable has been contributed by Mr. William Hart, and in "Lake Georgo, near Hague," is discernible one of the richest fruits of his affluent and gorgeous palette. It is an autumnal multium in parroman expression of those magnificent combinations of color for which no American artist has won greater or more deserved celebrity than Mr. William Hart. Then there is a picture by S. R. dimord, which at once rivets attention. The locality whence the points for the picture were taken is the Clove, among the Catskills. The sease of pervading smilght is deliciously warm and golden, and the radiant atmospheric film which trembles above the green acclivities and sombre gorges is as delicate as "breath melting into air." Edward Moran has a fine marine representative of "Early Morning at Sea." Here we have an artist the quality of whose talent is so well and widely understood that any longthened reference to even a new work is almost superfluous. In the present picture his design has been to express the swell and fush and triumph of the ocean when the day is young and she eximits the ships across her bosom like flashing mesages. The artist has indicated what may be termed the self-consciousness of the sea delighting in its omnipotence. A less ambitious production by the same artist is "Sunset in New York Bay," in which he has very successfully idealized a subject which, in spite of its potentialities, too many artists would have treated prosaccally. The distribution of vessels in the distance is very skilluly effected, and the fishing boats in the foreground are enveloped in a strong yellow light, which excludes a sense of coarse conventionalities, the ming of flowers, and especially of autumn foliage, which are among the best of the kind we have recently seen, though not remarkable for ingenuity of grouping. Finally, Mr. Morston Ream displays an exquisit speech than the average explorer of dead lan-

Art Books To-Day at Leavitt's. To-day and to-morrow a number of art books will be disposed of at auction at Clinton Hall. Among the more salient features of the collection are Audubon's "Birds and Quadrupeds," Hogarth's Works, Gilray's Works, Pennant's "Antiquarian and Picturesque Tours," Mackin's Bible, Stod-hard's Plates, Aldine Poets and Finden's "Royal Gallery of Art," India proofs, &c.

Caution to Builders and Contractors. Yesterday atternoon Coroner Keenan held an inquest at his office, No. 40 East Houston street, in the case of Patrick J. McHugh, late of 177 East the case of Patrick J. Mcliugh, late of 177 East Broadway, whose death resulted from injuries re-ceived on the night of the lat inst. by falling into the excavation for a new bolding corner of Cort-landt and New Church streets, the place being very dangerons to persons having occasion to pass there after dark. In their verdict the jury say:— "We censure those in charge of the work for not properly protecting the said excavation." De-ceased was twenty-nye years of age and born in Ireland.

STOKES' THIRD TRIAL.

Continuation of Testimony for the Prosecution.

THE OLD STORY TOLD OVER AGAIN.

The Prosecution Likely to Rest To-Day.

There was nothing new elicited in the progress of the trial of Stokes yesterday. It came out in evidence, however, that Mrs. Fisk's secretary gave the nall boys Redmond and Hart \$50 each after the second trial. What particular bearing this may have or may be intended to have on the result will only be seen by the use defendant's counsel may make of it in the summing up. The attendance yesterday was larger than on the former trials, several ladies having seats within the bar enciosure. Stokes is going through this (his third) ordeal with his usual firmness and seeming con sciousness of coming out all right. The witnesses are not subjected to the weary cross-examination of the other trials, both the prosecution and the defence confining themselves to the more salient points of the testimony for and against the prisoner.

Proceedings Yesterday. The first witness called was THE HALL BOY, THOMAS HART,

who was cross-examined for the defence.

Witness pointed out the place on the diagram
where he observed Stokes make a motion as if throwing something into parlor No. 217 with his right hand, just after the snooting. The witness gave his testimony with an air free from embarrassment, and displayed no hesitancy in replying to counsel, though the cross-examination was un-

usually severe and searching. Witness-At the time of the firing Fisk was about half way up to the landing of the ladies' staircase; Stokes was about seven steps apart from Fisk when he shot him; do not rembember having sworn before the Coroner that only three steps intervened between them; it was light enough at the time for me to see quite distinctly; I had a towel in my hand and was standing on a ladder, wiping the dust off the fanlight at the bottom of the stairs when Fisk entered; I now remember having sworn that only four steps separated the two men; I could not see exactly if it was four or eight steps; I know Mrs. Fisk; have not seen her since I became a witness in this case; I I know the firm of Osborn & Chapin, bankers, and went over to their office to get a situation from a gentleman; I do not know who it was that furnished the witness Redmond and myself with better provisions than the other inmates of the House of Detention received; I did say that Mr. Fisk had been in the habit of visiting the hotel: I think that I might have seen Stokes at the hotel before the day of the shooting; Fisk was in the act of crossing from one side of the staircase to the other when he was shot; no person jurnished the suit of clothes I wear; I bought it myself with my own money; Stokes was very excited and pale after the shooting; think he wore gloves when he fired, but do not know if he had a cane in his hand; I never saw any pistol; I received \$50 from Mr. Clark, Mrs. Fisk's private secretary, after the second trial, when the conviction was had; I received the money at the New York Hotel, a Mr. Fisk's former managing agent having sent me there to see Mr. Clark; Mr. Comer said that I might get a situation at the New York Hotel.

By the District Attorney—Were you asked these questions on the former trial? A. Yes, sir.

Mr. Tremain objected to the question, on the ground of immateriality. Objection overruied and exception taken.

Mr. Tremain wanted it understood that evidence better provisions than the other inmates of the

exception taken.

Mr. Tremain wanted it understood that evidence heard on the former trials was not competent evidence on this one. He excepted to the decision. The winness stated that he made an affidavit before the Coroner and another at the station house on the night of the murder. Objected to, and moved that the answer be stricken out. Motion

denied.
To the District Attorney—I was confined in the House of Detention until after the second trial and then discharged; the table I ate at was in the same room with the other ismates, but separate; the Court made me an allowance of money with which I bought my clothes; aside from this the 550 given me by Mr. Clark was all the money I received during the time I was retained as a witness in the case.

lag the time I was retained as a witness in the case.

To Mr. Tremain—After Stokes was convicted some strangers in the House of Detention told me I had better go to Mr. Smith, in the same building with Osborn & Chapin, and get a situation: I don't know who the persons were who told me.

JOHN REDMOND ON THE STAND.

John T. Redmond was next sworn—Came from the House of Detention; have been detained the same length of time as the previous witness; I was employed at the Grand Central as doorman; went on duty at six in the morning and remained till three on the day of the murder; I was relieved by Thomas Hart. Thomas Hart.

This witness was withdrawn at this stage to

Thomas Hart.

This witness was withdrawn at this stage to allow of the witness Hill being examined on cross-examination in preference, as he was in a hurry to leave the Court. After fruitless search for Hill Redmond again testified. The witness repeated his testimony given on the former trials, describing the position of Fisk and himself at time of the sbooting.

Mr. Hill having returned into Court, Redmond stood aside and waited for the end of the cross-examination. Witness was positive he saw the prisoner at the door of parlor 219 after the shooting, while Thomas Hart swore positively that Stokes did not go to the door of 219; ne took the rod handed him, and pointed out on the diagram where he stood when the shooting was done and where he saw Stokes and Fisk; he saw no pistol during the excitement in the hands of any person.

REDMOND RECALLED.

Soon after this Mr. Hill was allowed to go out, and Redmond again took the stand. Witness repeated his answers given on the other trials, nothing new being elicited, except that he, too, like Hart, had received \$50 from Mr. Clark after the conviction of Stokes had been secured.

Miss Grace Hail was next sworn—She was a guest at the Grand Central Hotel on the day of the shooting of Fisk; she saw a pistol lying on a sofa in the third parlor, the one lacing the dining from hail; she took it up and handed it to a parlor water named Henry; she was shown a pistol, and said it was like the one she had picked up, but could not swear it was the same. She was cross-examined, but nothing of importance was elicited in addition to what she aiready testified.

John Marshall, Fisk's former valet (colored), sworn—He helped Fisk to dress himself on the morning of the day of the shooting; a bundle of clothing was shown the witness, which he identified as containing the coat, vest and cloak worn by her Colone. His evidence did not differ in any particular from that published twice aiready.

Prank Crockett serve of the Grand Centra Hotel, next testified—He was behind the counter or desk o

the Court resumed, shortly before two o'clock, when

John T. Redmond

was recalled, and, in answer to a question from Mr. Tremain, admitted that though he was standing at the loot of the Grand Central stairs he did not see the other boy. Thomas Hart, on the landing. Hohis L. Power, proprietor of the hotel, testined to seeing Stokes pass through the hail, followed by one of the boys, and saw him arrested and taken before Fisk, who identified him as the man who shot him, and seemed rather afraid of him.

On cross-examination Mr. Power stated, as on previous trials, that when he asked stokes why he came there to make a disturbance Stokes made no reply; Stokes appeared somewhat excited.

Captain Byrnes, Fifteenth precinct, was examined as to the arrest and detention of the witnesses and his having received the pistol found by Miss Hail from the clerk, Mr. Crockett.

On cross-examination the witness said he was sore it was seven o'clock in the evening when he received the pistol; he called at hail-past four, and went into the room he saw Dr. Fisher at the foot of the bed looking at Dr. Tripler, who was kneeling down, with his arm across Fisk siegs, and working with the probe; witness only saw the end of the probe, and when witness ieft, at the end of four or five minutes, he was still working with the probe; when Mr. Power went up stairs with the prisoner he first learned that it was Fisk who was shot; Jay Gould, Mr. Tweed, Mr. Fleid and his partner and other gentlemen came and were in the room during the evening.

gentlemen came and were in the room during the evening.
Peter Coughlan, a hotel servant, proved that when he came out of room No. 220 he saw Stokes at the head of the stairs, leaning on the banisters with his left hand and his right in uss cost pocket; he went into a recess for water and heart the shots; when he came out in the hall he did not see Thomas Hart, but he saw Patrick Hart, and Stokes was not there.

Police Officer MacAdam, who arrested Stokes in the hotel hall, gave a different version of the identification from all the proceeding witnesses. He states that he asked Fisk, "Is this the man that shot you?" and Colonel Fisk answered "Yes," and somebody said "Take him away," and that was all. On cross-examination the witness said he did

prisoner no time to make a speech, but hurried him away. In reply to Mr. Russell, the witness said he did not notice any desire on the part of the prisoner

not notice any desire on the part of the prisoner to make a speech.

In reply to Mr. Tremain, witness said he was sure Mr. Power was mistaken in saying that he (MacAdam) took the prisoner into room 207 after the identification.

Philip Farley, hotel porter, proved that he was going up stairs to see what was the matter, when he met Stokes, who said to him "A man is shot, go for a doctor;" he then passed towards the barber's shop. Hearing some one cry out "That is the man that shot him," witness ran after Stokes and seized him; Stokes made no attempt to escape; the prisoner did not say he knew nothing of the shooting.

The case was then adjourned till this morning.

CHEAP TRANSPORTATION.

Meeting of the United States Senate Committee on Transportation at the Fifth Avenue Hotel-Important Evidence of City Merchants.

A meeting of the United States Senate Committee on Transportation, consisting of Senators Windom (chairman), Conking, Davies and Norwood, was held yesterday at the Fifth Avenue Hotel. committee is desirous of further information on several points, and representatives of various transportation interests have been requested to appear before it.

Mr. Cosh's STATEMENT.

Mr. Carlos Cobb, grain merchant, chairman of the Grain Committee, was the first witness, and he said:—It has been said one of the deficiencies of New York is its elevator and storage capacity. This is not true, since the grain storage capacity of New York is about 13,000,000 bushels. The largest quantity ever held in store at one time was something less than this capacity. Usually not more than half this capacity is filled. Nor is it true that the rates for such storage (compared with Western places) is excessive. Storage at New York on wheat and corn is one and a half cents per bushel for the first ten days, and one-quarter of a cent each ten days following, equal to two and a quarter cents for the first month. For sixty days this would be three cents per bushel, on which, at delivery, the grain is credited-three-eighths of a cent for weighing net and two and five-eighths cents per bushel for sixty days' storage. At Chicago and Milwaukee the charge is two cents for the first twenty days, or any part of them, and one-half cent each ten days thereafter, which, for sixty days, is four cents per bushel. Owing to the moisture of the atmosphere of New York grain is stored upon noors and spread, involving a large amount of laborand money, while at the West and in dryer climates deep bins are safely used and the work almates deep bins are safely used and the work almost entirely performed by cheaper steam. This, to say nothing of the larger difference in the cost of ground and building, makes the disparity still wider. Commissions are not higher at New York than at Western places for similar service. The completion of the transportation undertaken on the part of the railroads is by lighters from Thirty-third street, opposite New York, or from Jersey City, Hoboken or Communipaw, to some usual place in New York, such as chambers street, Coenties slip, &c., and then becomes subject to the order of the consignee. If grain it is delivered, lighterage free, alongside buyer's slip, store or pier. Prompt delivery, according to quantity contained, is required or demurrage charged for default. This lighter delivery from the termini of the roads to consignee's vessel, store or dock has usually been farmed out to middle men, or parties having neither interest in the roads nor in the sale of the property. The roads contract to pay them a certain sum per ton, piece or bushel, with permission probably to make such incidental profits out of the business as they may be able, such as grain sweeping, remnants, unclaimed goods, demurrage, &c., and upon grain a recent invention has been put into practice, viz.:—Charging three-quarters of a cent per bushel for wheat is called elevation, which is simply the act of discharging their highers. Should the Cunard steamers require A. T. Stewart & Co. to enter the holds of their vessels and search out and remove their merchandise as come to, or pay the Cunard people for doing such work, would be the exact equivalent for this charge, three quarters of a cent per bushel for unloading their highter—I, e., the grain pays for being transported according to tariff rate, and, in addition, is then called upon to pay an uncontemplated charge of three quarters of a cent per bushel; this is divided between the grain and the buyers, three eighths of a cent to each. By this ascertainment of quantity the lighter and th most entirely performed by chesper steam. This, to say nothing of the larger difference in the cost of

Some have supposed it the result of system. Refusal to be responsible for short and out turns from railroad lighters, yet charging freight or truck scale weight when delivered to such lighters. For remedies he made the following recommendations:—Each grain carrying road should crect at their termini elevators of such capacity as would contain the deliveries of such capacity as would contain the deliveries of such capacity any one week.

MR. C. P. Hickock also recommended the building of elevators at different termini. Each car of grain should be inspected, graded and weighed on arrival, and a receipt given to the consignee for the quantity and grade. These receipts would be bought and sold on the market in the same manner as at the Western cities. He said that the manner of handling grain in use here would not be tolerated for a moment in any Western city, and New York is the only Eastern city where grain is exported that is not already provided with elevators.

MR. E. B. Riggles and MR. J. O. Jones also gave

ators. Mr. E. B. Riggles and Mr. J. O. Jones also gave some important testimony before the committee.

The session was adjourned until half-past ten A.
M. to-day.

REAL ESTATE.

An Adjourned Sale of Harlem Heights Property-Satisfactory Results of a Sale at Yonkers.

The sale of Harlem River Heights lots drew large attendance to the Exchange Salesroom vesterday. Bidding, however, did not prove satisparcels, containing about 122 city lots, ranging from \$500 to \$925 per city lot, the balance of the property was withdrawn. The sale of Yonkers property, belonging to John Duff, on Wednesday, justified the notice given it here both in respect to the attendance and the results. Bidding was spirited throughout, and twenty cottages were disposed of for \$69,045, being an average of \$3,462 each, and seventy-four plots for an average of \$867 each. Particulars of this and other sales are

Plot No. 2, 12% lots, adjoining the above: W. Harri-Piot No. 2, 12% lots, adjoining the above; W. Harrison, per lot.
Plot No. 3, 12.35 lots, adjoining; Mr. Douglas, per lot Viot No. 4, 11.45 lots, n. e. corner 205th st. and Sedgwick av. M. M. Wilson, per lot.
Plot No. 6, 2.25 lots, s. e. corner 205th st. and Sedgwick av. M. A. Anger, per lot.
Plot No. 7, 74 lots, adjoining the above, on 200th st. 8, S. Church, per lot.
Plot No. 12, 15% lots, n. e. corner 205th st. and Ridge av. J. C. Johnson, per lot.
Plot No. 28, 19 lots, n. w. corner Macomb's Dam road and 205th st. J. B. Conley, per lot.
Plot No. 27, 25% lots, adjoining the above, on n. side; J. B. Conley, per lot.
SY J. JOHNSON, JR.—VOSKERS, OCT. 15.
16 t. corner Ashburton and Nepperlam avs.; J. Flood.

lot, corner Ashburton and Nepperham avs.; J. Flood.

1 lot on Ashburton av., adjoining above; W. Pickell lot on Ashburton av., adjoining above; W. Pickell lot on Ashburton av., adjoining above; S. McCabe l. lot on Ashburton av., adjoining above; S. McCabe l. lot on Ashburton av., adjoining above; Mrs. little little l

phot, 1 23-100 lots, Orenard st., corner Myrtle st.; M. Reyan.

1 plot, 1 47-100 lots, corner Nepperham av. and Myrtle st.; John Curry.

1 plot, 1 10 lots, adjoining above; M. Devitt.

1 plot, 1 -100 lots, adjoining above; M. Devitt.

1 plot, 1 -100 lots, adjoining above; W. Devitt.

1 plot, 1 -100 lots, adjoining above; M. Davitt.

2 plots, 2 3-100 lots, adjoining above; L. Madison.

2 lots, adjoining above; J. Madison.

2 plots, 2 1-20 lots, adjoining above; F. Adams.

1 plot, 1 -10 lots, adjoining above; J. Seever.

1 plot, 1 -10 lots, adjoining above; J. Madison.

2 plots, 2 1-20 lots, adjoining above; J. Madison.

1,190

6 35-100 lots, corner Ashburton av. and Or. 10,016 St.; G. L. FOX. THE FINANCIAL PROBLEM. hard st.; G. I. Fox for, IX lots, Orchard street, rear above; Gedney, lot, I& lots, adjoining; Pat. Whalen, lot, IX lots, adjoining; Pat. Whalen, lot, IX lots, adjoining; M. Owens, lot, IX lots, adjoining; J. Owens, lot, IX lots, adjoining; Joseph Murphy, lots, B lots, Orchard st., adjoining above; T. llen. plot, 114 lots, Orchard st., adjoining above; R. 13 lots, Orchard st., adjoining above; P.Curplot, 15 lots, Orchard st., adjoining above; Fahey weich...
plot, 1½ lots, Orchard st., adjoining above; J.
Rowen... Rowen plot, 1)4 lots, Orchard st., adjoining above; A. Gresory plot, 1, lots, Orchard st., adjoining above; T. Allen. plots, 25 lots, Orehard st., adjoining above; T. ot, 13 lots, Orchard st., adjoining above; A. A. plot 1% lots Orchard st., adjoining above: A. Baeder

l lot corner Orchard and Meadow sts.: Mowatt.....
l cottage and lot, Vineyard av. and Myrtle st.; 8. tage and lot, Vineyard av., adjoining above; R. Wilson, cottage and lot, Vineyard av., adjoining; Mrs. tottage and lot, Vineyard av., adjoining; John Reagan cottage and lot, Vineyard av., adjoining; C. Eigcottage and lot, Vineyard av., adjoining; Mar-ginsen. 8,450 cottages and lots, Vineyard av., adjoining; A. Greg-cottage and lot, Vineyard av., adjoining; A. Greg-8,550 sons cottage and lot, Yineyard av., adjoining; C. Briggs 3.400 ge and lot, Vineyard av., adjoining; C. Schu ager ... 3,500 stage and lot, Vineyard av., adjoining; Fallen ... 3,425 strages and lots, Vineyard av., adjoining; C. 7,175 ottage and loi, Vineyard av., adjoining; Sam.

COMMON COUNCIL AFFAIRS.

Meeting of Both Branches of the City Government-Expected Action on the Confirmation of Police Justices-The Mayor's Nominations Still in Statu Quo-City Ordinances in Relation to Obstructions or Walks, &c., To Be Remodelled.

Rumors to the effect that the Aldermanic deadof Aldermen convened in session at half-past three nees were acted upon at this session.

direction soon."

The "third nouse," or the lobby, was present in full force, every available spot being taken up by them. Even the floor of the Chamber was invaded by the outsiders. Many members of the Board of Assistant Aldermen likewise were in attendance.

Promptly at half-past three o'clock the Board was called to order by President Vance. All the members except Alderman Van Schaick answered to their names. The minutes of the previous meeting were partially read; but, on motion of Alderman McCanerty, the further reading was dispensed with.

with.

A MESSAGE PROM THE MAYOR
was received, transmitting a petition of property
owners between Fory-eighth and Fiftieth streets
and Ninth and Tenth avenues to have these streets
lighted with gas. Alderman McCafferty stated
that owing to the Metropolitan Gaslight Company
not receiving their pay from the city they relused
to furnish any more light. The message was placed
on file.

The Committee on Law recommended the appoint-

The resolution was adopted unanimously, and, on motion of Assistant Alderman Clancy, a committee of three appointed to present it to the Board of Aldermen.

This section, if it becomes a law, will do away with the vexatious lawsuits against parties brought in other districts than those in which the offence was committed.

After transacting some minor business the Board

Nonpayment of Tax Clerks.

The Mayor's office was visited yesterday afternoon by a delegation of clerks who had been employed by Mr. Pinckney, Clerk of the Common Council, to assist in examining the tax books, in order that the payment of the November taxes order that the payment of the November taxes would be expedited, and who were unable to obtain their payment for their services from the Comptroller. General Pinckney was sent for and stated to His Honor that he had employed these men by direction of the Comptroller for the purpose above named. The clerks had faithfully done their work, they claimed, and according to their instructions waited on Comptroller Green for their pay. The latter referred them to Mr. Earle, County Auditor, who said he could not pay them, as there was no appropriation for such work. The spokesman said it was understood that they were employed under the directions of Comptroller Green, or they would never have risked the chance of not getting their pay.

Mayor Havemeyer promised to give this subject his attention and do all in his power to obtain for them their pay.

COMPTROLLER'S RECEIPTS.

paid yesterday into the treasury:—From Receiver of Taxes—Receipts of taxes of 1873, about \$192,000. From Collector of Assessments—Assessments for street openings, &c., and interest, \$10,055. Bureau of Arrears—Arrears of taxes, assessments, water rents and interest, \$7,744. Bureau of Water Registrar—Croton water rents and penalties, \$4,036; permits to tap water pipes, \$119; total, \$4,154. Bureau of Permits—Permits for signs, street stands, show cases, &c., \$1,615. Mayor's Second Marshal—Licenses, \$348. Bureau of City Revenue—Market rent and fees and house rent, \$179. City Courts—Pees from First Judicial Distict Court, \$63; fees from Third District Police, \$30; total, \$98. Grand total, \$223,003.

2.620 Yesterday showed a very marked revival of

ock on the Mayor's Police Justice nominations had been broken tended to fill the corridor of the City Hall yesterday from early morning until the Board o'clock in the afternoon. There was a larger collection of "curb stone" statesmen around than had assembled on the previous day at the Tammany County Convention. All sorts of wild prognostications were indulged in. Some had it that Bernard Reilly, the defeated Tammany candidate for the nomination of Sheriff, had influenced his brother, Alderman Reilly, to "go back" on the combination and vote with the friends of the Mayor. Others, again, who claimed to be posted, held that certain political concessions were to be made in case the Mayor's nomi-

His Honor the Mayor, on being interrogated by a Herald reporter as to the probability of his nominations of Police Justices being acted upon yesterday, replied, with placidity of countenance, "that he knew as little about it as the questioner, and he hoped they would do something in that direction soon."

to furnish any more light. The message was placed on file.

Another message from the Mayor recommended the amendment of the ordinance relative to public trucks and carts, so that one person could own more than three vehicles, which is the limit of the present law. He also proposes that THE LIGENSE FEES be fixed as follows:—For four-wheeled two-horse trucks \$6 per annum, for four-wheeled one-horse trucks \$6 per annum, and for one-horse carts \$4. On motion of Alderman Morris the message and subject were referred to the Committee of the Law Department.

The resolution from the Board of Assistant Aldermen (published below) relative to signs, show-cases, holstways, &c., was referred to the joint committee on ordinances.

A number of commissioners of deeds were appointed.

The Committee on Law recommended the appoint-

ment of a committee on Law recommended the appointment of a committee who, in connection with General Pinckney, Clerk of the Board, are directed to compile the existing city ordinances in one volume. Commissioner Van Nort was instructed by resolution to have the Elm Street Arsenal repaired forthwith. General orders were taken up and passed, after which the Board adjourned.

Board of Assistant Aldermen. In order to repeal subdivision four, section 17 chapter 335 Laws of 1873, the lower branch of the

chapter 335 Laws of 1873, the lower branch of the Common Council held a special meeting yesterday afternoon, at two o'clock. Prior to this the Committee on Ordinances held a session, when the fellowing resolution was passed and reported to the Board as adopted:—

Resolved, That the ordinance entitled, "An ordinance to regulate permits for street stands, showcases, signs, stairways, hoistways and deliveries, approved February 24, 1874, be, and the same is hereby repealed, and in lieu thereof the following ordinance be adopted:— * "All suits are to be prosecuted in the District Court of the district wherein the offence occurs, and that this ordinance shall take effect immediately."

The resolution was adopted unanimously, and.

A TRAGIC TARGET EXCURSION. On the 23d ult. a number of boys and half grown

men, hailing from the First ward, having organized under the name of the "Freischuetz Guard," pro-ceeded to Jones' Wood on a target excursion, followed by a gang of juvenile idlers, who had noth ing else to do. Among the number was Philip Farley, a boy, thirteen years old, whose mother lives at No. 32 Rector street, and, unfortunately for him, he drank to excess and became quarrelsome. While on the ground a number of the boys became involved in a fight, during which, it was alleged. Philip was either kicked in the abdomen or fell against a table or bench and injurfed himself. After returning home Philip was taken sick, and subsequently died, as appeared from a medical examination, from peritonitis, which may have been caused by violence or from natural causes. It had been alleged that Henry Scavers, a lad, kicked deceased, but during the investigation yesterday afternoon, before Coroner Keenan, it could not be shown that deceased was purposely injured, and young Seavers was relieved from all suspiction. lives at No. 32 Rector street, and, unfortunately for

Comptroller Green reports the following amounts paid yesterday into the treasury:—From Re-

Revival of the Speculative Spirit of Wall Street.

STOCKS UP AND MONEY EASY.

Buoyant Outlook in the Produce Markets.

The Question of Resumption.

OPINIONS OF BUSINESS MEN.

spirit in the Wall street markets, especially noticeable late in the day, with a sudden turn in the monetary situation that brought currency on the street seeking employment at as low as three per cent. What this means—if it means anything more than a stockjobbing trick—it is difficult to say; but the game now being played, if game there be, or any one strong enough to control it, would seem to be alternate contraction, with tightness, and ease, for the purpose of helping a short turn in anarchy. It has dethroned its kings and finds its freedom no more satisfactory than do the French people their transition government. With "the nmodore" suspected of weakness, what is left the average Wall street operator on which to build

ICONOCLASM BULES THE HOUR, and the high priests, once so honored and re-spected in the Temple of Mammon, find no longer humble worshippers as of yore, bringing gifts of propitiation. What the end will be is happily a question that late experience has proven to be more circumscribed in the sphere of its relevancy than was feared. Wall street may be permitted to recover its lost prestige and its kings to struggle anew for pre-eminence without other feeling than curiosity, provided commercial interests do not suffer in consequence. And despite a certain gloomy sense of insecurity because of the many abnormal features of the financial situation, the other markets appear to be working healthily enough, although not with that animation usual as this season of the year. The action of the banks, in curtailing their accommodation to the street in order to give increased facilities to commercial exchanges, has had the effect designed in relieving

THE PRODUCE MARKET from the pressure of the Wall street crisis. Yesterday the outlook there was said to be very promising, with a steady export demand fully up to the current supply. In spite of the derange-ment of our domestic system of exchanges by the recent monetary stringency, the fact that Europe wants bread, and wants it so badly as to send gold for it, has staved off the apprehended "deadlock" which it was feared might interrupt the steady forward movement from the West. Matters at THE COTTON EXCHANGE

show a similar satisfactory condition, with the usual average of dealings for this season and only slight decline in prices. "ONDER THE RULE." The following sales were made yesterday at the

views on the subject, has started anew the discussion of the subject of resumption as an event yet to be consummated. In this connection the opinions given below of gentlemen having an interest in such an event will be found interesting. They are various; but the subject is one that suggests diverse conclusions, and it will be borne in mind that the President gives the hint that while his mind is made up now as to what recommendations he would make if he were now writing his message, yet he may be led to change or modify his viewa before the time comes to put them into shape.

VIEWS OF BUSINESS MEN ON THE SUBJECT OF RESUMPTON.

yet he may be led to change or modify his views before the time comes to put them into shape. YIEWS OF BUSINESS MEN ON THE SUBJECT OF RESUMPTION.

Mr. Norton, of the firm of Norton, Slaughter & Co., one of the leading cotton brokerage houses in this city, said, in answer to inquiries on the subject, that resumption of specie payment is not now possible, chiefly because of the small amount of funds in the Treasury. The policy of Mr. Boutwell and the present Secretary of the Treasury is retarding our return to a specie basis. The financial department of the goverament ought to have procured an accumulation of \$200,000,000 or \$300,000,000 in the Treasury vaults before beginning to buy up any of our national liabilities, as sometimes was done even ere they were matured. Then the Department could have met all contingencies and prevented the making of "corners," thus avoiding such dire misfortune as was experienced in the famous "black Friday."

THE PRESENT FINANCIAL PANIC WILL TEND TO HASTEN OUR KETURN TO A METALLIC BASIS, because it will check speculation and impel men to do a safe rather than a large business. The tendencies now are for men to rush recklessly into inflated speculations of one kind or another, in hopes of amassing a large fortune speedily. The national idiosyncrasy—so to say—affords peculiar facilities for this sort of trading on hypothetical funds, which exist but in the imagination of the speculator. The return to specie would not affect the cotton trade, as business in this staple is always done on a cash footing.

Mr. Drexel, of the firm of Drexel, Morgan & Co., bankers, Wall street, thinks that there is no present appearance of our soon seeing gold and silver circulate on a par with greenback currency. There is too much paper money afford in the country to permit of its quickly coming up to a level with gold or silver. Even now the market shows that gold is again asserting its acknowledged superiority in value. The present financial difficulties is that of retrenchment in speculative operation

Business will now generally be transacted on a firmer, surer, if somewhat more contracted system. The

ONE GREAT LESON

to be gathered from our present financial difficulties is that of retrenchment in speculative operations and a return to the habits of the good old times before the late war when a dellar meant 100 cents of actual value, whether a man carried paper or gold in his purse.

Air. Inman, of the firm of inman, Swan & Co., Cotton Exchange, says that a return to specie paymen cannot be brought about before three or long years shall have passed. If gold would now fall to four or five per cent it would afford much needed relief to the market from England and other places, it still preserves an upward tendency. Should gold fall as low as the rate named sliver would then be about partout even se, it would hardly come into general circulation. First, because for obvious reasons the metallic circulating media could not long remain at such a low rate of premium; and second, because there is but an insufficient amount of sliver coin in the country.

THE FOLICY OF THE TREASURY DEPARTMENT can only remotely inducate the price of gold. The government can never regulate it any more than it could the price of potatoes or corn. The marketable price of any article must always depend upon the immutable laws of supply and demand, not upon the good wishes of the community. To get back to the times of gold and sliver the Treasury must have a very large supply of the precious all contingencies, otherwise an unsuccessful attempt to resume specie payment might bring about a reaction that would send metallic currency sky high. The South would be benefited by a return to the use of gold and sliver. The cotton planters and farmers have has fittle or no credit. They do everything on a cash basis; therefore the sudden transition from currency to gold could not work them any injury, but might, on the contrary, be productive of much good.